

**Background:**

The North Dakota Legislature passed the Vulnerable Adult Protective Services Law in 1989. The law authorized the Department of Human Services to develop, administer, and implement a program of protective services for vulnerable adults.

In 1998, each regional human service center began developing Elder Services Units, which are responsible for vulnerable adult protective services, as well as other services.

*Protection of vulnerable adults seeks to prevent further abuse, neglect, or exploitation and to promote self-care and independence.*

**State Law:**

In state law, **a vulnerable adult is defined as any person older than age 18, or emancipated by marriage who has a substantial mental or functional impairment.**

ND Century Code 50-25.2-03 states that any person who reasonably believes that a vulnerable adult has been subjected to abuse or neglect or observes conditions or circumstances that reasonably would result in abuse or neglect, may report the information to the Department of Human Services or to an appropriate law enforcement agency.

The law gives the department the right to assess and to provide or arrange the provision of adult protective services, if the vulnerable adult consents to and accepts the services. The department may pursue administrative, legal, or other remedies authorized by law, which are necessary and appropriate under the circumstances to protect a vulnerable adult who cannot give consent, and to prevent further abuse or neglect.

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**Statistics:****Vulnerable Adult Services**

(October 2003 – September 2004)

- 470 New Cases
- 421 Information and Referral Calls
- 263 Brief Services (required up to 2 hours of staff time to resolve, for example, helping a family locate needed services.)
- 439 Cases Closed
- Hours spent on information & referral, brief services, and cases totaled 7,208 hours

**NOTES:**

*A clarification in reporting occurred. The case data should not be compared to previous data.*

*A new case does not mean a person has not been served before. Recidivism is common. Physical and other abilities change over time, and concerns about neglect or abuse may resurface.*

**Referral Reasons**

- 65% Self-neglect
- 14% Neglect
- 10% Abuse
- 11% Financial exploitation

**Referral Sources**

- 28% Agency
- 27% Medical/Home Health
- 20% Family
- 15% Community
- 6% Legal/Judicial
- 4% Self

**Priority of Request**

- 84% Non-emergency
- 9% Emergency
- 7% Imminent danger

**Did You Know:**

Adult children, other family members, church communities, and other informal support systems help meet the needs of many people. **Individuals who receive vulnerable adult protective services often lack these informal supports.**

## Vulnerable Adult Protective Services Demographic Data

*October 2003 – September 2004*

### General

- 70% were age 60 and older
- 59% were female
- 93% were Caucasian
- 5% were American Indian/Native Alaskan

### Marital Status

- 64% single/widow/widower
- 20% married
- 14% divorced
- 2% separated

### Living Arrangements

- 56% live alone
- 35% live with a spouse or other family member
- 9% live with non-relatives

### Alzheimer's and Related Dementia

- 72% Did not have dementia
- 28% Do have some sort of dementia

### Reasons for Case Closure:

- 18% Referred to another agency
- 15% Moved out of the area, received protective arrangements, or died
- 15% Client refused services
- 13% Placed in long-term care facility
- 8% Referred to home & community-based services
- 31% Other

## Another Resource:

**North Dakota Senior Info Line**  
**1-800-451-8693**  
**[www.ndseniorinfo.com](http://www.ndseniorinfo.com)**

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N.D. Department of Human Services  
Aging Services Division  
600 E Boulevard, Department 325  
Bismarck N.D. 58505-0250  
Phone: 701-328-4601 TTY: 701-328-3480

## Adult Protection in Practice:

- A **vulnerable adult has the right** to make decisions on his or her own behalf until he or she delegates responsibility voluntarily to another, or the court grants responsibility to another.
- **When interests compete**, a competent individual's decision supercedes community concerns about safety, landlord concerns about property, or family concerns about health or finances.
- **A person can choose** to live "in harm" or even self-destructively, if she or he is competent to choose, does not harm others, and commits no crimes. (Each year, about 15 percent of the people offered vulnerable adult protective services in N.D. refuse them.)
- **Protection of vulnerable adults seeks to prevent further abuse, neglect, or exploitation and to promote self-care and independence.**

## How Calls Are Handled:

When a Regional Human Service Center receives a call about suspected abuse or neglect of vulnerable adults:

- **Staff assess the situation** via phone to determine if an emergency exists.
- **Staff contact emergency responders, if appropriate.**
- If it is not an emergency, but requires more than providing information and referral, **staff may conduct a site visit** to assess the situation and assure appropriate services are offered.
- If appropriate, **staff may offer services** to the vulnerable person such as home-delivered meals, personal care assistance, respite care, or other services.

## Human Service Center Contacts:

Williston	701-774-4600	800-231-7724
Minot	701-857-8500	888-470-6968
Devils Lake	701-665-2200	888-607-8610
Grand Forks	701-795-3000	888-256-6742
Fargo	701-298-4500	888-342-4900
Jamestown	701-253-6300	800-260-1310
Bismarck	701-328-8888	888-328-2662
Dickinson	701-227-7500	888-227-7525